

OFFICE OF SPECIAL MASTERS

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TRACY D. COOK,

Petitioner,

v.

SECRETARY OF HEALTH  
AND HUMAN SERVICES,

Respondent.

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No. 07-106V  
Special Master Christian J. Moran

Filed: November 7, 2007

Order concluding proceedings;  
withdrawal of petition.

**ORDER**

On November 5, 2007, petitioner filed a Withdrawal of Petition in which she notified the court that she was voluntarily withdrawing her claim. Vaccine Rule 21(a) provides that petitioners may voluntarily dismiss their claims “at any time before service of respondent’s report.” Respondent has not filed a report pursuant to Vaccine Rule 4(c) in this case; thus petitioner is entitled to dismiss her case voluntarily.

A voluntary dismissal does not entitle petitioner to “receive a judgment pursuant to Vaccine Rule 11 for the purposes of 42 U.S.C. § 300aa-21(a).” This order is promulgated pursuant to Vaccine Rule 21(a), constituting notice to the clerk of court that proceedings on the merits of the petition have concluded. The clerk shall not issue judgment based on this order.

IT IS SO ORDERED.

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Christian J. Moran  
Special Master